

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DR. MICHAEL N. BERKE  
FOR: SELF-ADMINISTERED BACK MASSAGE  
SERIAL NO.: 09/609,166  
FILED: JULY 3, 2000  
EXAMINER: JUSTINE YU

REQUEST FOR AN EXTENSION OF TIME TO FILE APPEAL BRIEF

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

Applicant has filed in the above captioned matter a NOTICE OF APPEAL requiring the filing of an Appeal Brief on or before January 28, 2002.

There is currently pending for disposition a PETITION TO THE COMMISSIONER PURSUANT TO 37 CFR 1.181 seeking clarification of which one of two claims will be the claim on appeal.

It is respectfully requested that applicant's time to file an APPEAL BRIEF be extended for 15 days after a decision is rendered on said PETITION TO THE COMMISSIONER PURSUANT TO 37 CFR 1.181 or January 28, 2002, whichever date is later.

02/06/2006 CKHL0K 00000012 011174 09609166

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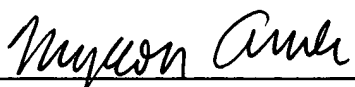
The extension requested is necessary in order that applicant may direct the Appeal

Brief to the claim which is deemed to be the claim on appeal.

Respectfully,

MYRON AMER, P.C.

Attorney for Applicant

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Dated: December 14, 2001